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CORRESPONDENCE FROM THE BRITISH ARCHIVES
CONCERNING TEXAS, 1837-1846

VIII

EDITED BY EPHRAIM DOUGLASS ADAMS

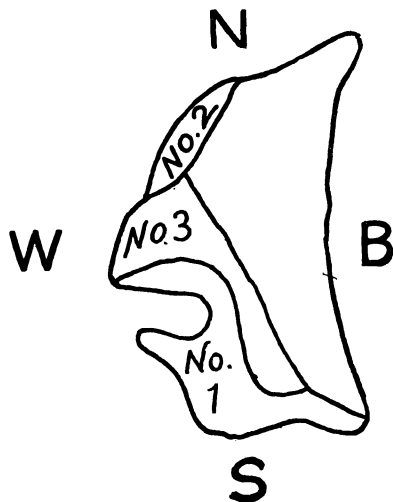
KENNEDY TO ABERDEEN¹

Private.

British Consulate
Galveston—August 6th. 1843.

My Lord,

The information which I have the honor to submit to Your Lordship has been tendered to me by a party concerned in the transactions to which it refers, upon the condition that I would not Communicate it to any person now resident in Texas.



The facts set forth in documents placed before me relate to the islands of Cozumel and Mugerres, or "Mohair," situated on the coast of Yucatan, and claimed as part of the territory of Mexico, but they bear more closely and immediately upon Cozumel, than upon Mugerres.—Subjoined is a rude outline of the form of Cozumel, with Sections marked for first, second, and third "choice."

¹F. O., Texas, Vol. 7.

On his first expedition against Mexico, Cortes touched at Cozumel, then an inhabited island, and the ruins of buildings erected by that Commander are said to be still visible on its E. N. E. portion.—Its length is estimated at about ten leagues—its breadth at the widest part, about five, and it is distant about fifteen Miles from the Mainland.

The outside, or Eastern, coast of Cozumel is represented as iron-bound and inaccessible; the Southern and Western sides are said to have a firm, accessible beach, with deep and tranquil water, where “Vessels of any draft may anchor, within a Cable’s length of the Shore”.— About three leagues from the Southern most point of the Island, lies “a fine Bay, well land-locked, having deep water inside, with a bar of nine feet water, at the entrance.” The whole Coast abounds in fresh water springs. The larger division, towards the South, is “completely covered” with a dense mass of valuable forest timber, and brushwood. The lesser division, towards the North, consists of “low Marshy ground mixed with small lagoons.” The arable land is a rich, West Indian Soil, “suitable,” (says an agent sent to examine it)—for the Culture of Sugar, Coffee, Cotton, &c. in a fairly healthy climate, where frost is never known and every inch of ground is covered with thick forest of the tallest trees, among them, Teak, Cedar, and dye stuffs,—with two excellent harbours, “Brutus Cove,” and “Port Thomson.”

Easy to be defended and offering many advantages for Shipping, Cozumel is said to be well adapted for the establishment of a Commercial Nation; possessing local facilities for supplying Southern Mexico, the Bay of Honduras and Colombia, and, in a measure, commanding the passage between Yucatan and Cuba.

On Arrowsmith’s Map of Mexico, Cozumel is placed about two hundred Miles North from the Capital of the British settlement at Honduras, and about fifty Miles South from the little island of Mugerres.

Mugerres, which is estimated to be about three leagues in length, possesses hardly any agricultural value being chiefly composed of sand, but it is said to Command a harbour of ample extent and great security, having “not less than three and a half fathoms of water at the entrance.” A Vessel, once inside, cannot well be discovered, “the land surrounding the Bay, or Harbour, being high

enough to hide a Ship's Masts".—It has been commended by the French as "a most desirable Naval Station," and the Texan Commander (Moore) thus writes concerning it, in a letter dated Sisal de Yucatan, 20th January, 1842.

"I have had the island and harbour of Mugeris examined, and have sent a Chart of the Harbour to the Navy Department. (of Texas) It is an excellent Harbour, but there is very little good land, and scarcely any heavy timber on it. Before I return to Texas, I will examine the island of Cozumel myself."

Cozumel, which contained an Indian population, when visited by Cortes, appears to have been long abandoned by its ancient inhabitants, whose fields have been overrun by the rank and rapid vegetation of a tropical Country.—Within the last few years, it has become the object of Speculating, and, perhaps, political cupidity in this quarter.

In 1837, it was visited by two Texan Privateers named the "Brutus" and the "Invincible." At that time, it contained no Settled inhabitants. Some Indians who had crossed from the mainland in Canoes, were employed in catching turtle. "They had no knowledge of to whom the island might belong." The Texan privateers, or "Men of War," as they have been styled, took a nominal possession of the place, hoisting their flag, and commissioning Indians as representatives. When the privateers returned to Texas, they reported their proceedings to the Government, but the matter, with the view, as it would seem, to speculation, was not allowed to transpire.

In 1840, a project was devised, under the auspices of some leading Members of the (then) Texan Government, to open a way to the future occupation of the island. Taking advantage of dissension between Yucatan and Mexico, a plan was formed for its purchase by some Citizens of Texas, who proposed to offer their Government a rendezvous for its Navy; to encourage emigration, and, ultimately, when fit opportunity arose, to claim the right of self-government under Texan protection.—A Mr. Robinson, formerly United States Consul at Tampico, with certain associates, agreed to bring some hundreds of emigrants from New York, and to pay the Yucatan Government the sum of \$100,000 (dollars) within three Months from the date of the contract. Owing to

the pecuniary embarrassments of the Married friends of these parties at New York, this project fell to the ground.

An agricultural establishment had been made upon Cozumel in the year 1838, by the Governor of Yucatan, the first Alcalde of Merida, and Colonel Peraza, a man of influence among the Yucatanians. They engaged in the cultivation of Cotton, sent to their plantation about thirty debtors and criminals taken from the prison of the City of Merida, and confided the Superintendence of the business, with a share of the profits, to Vicente Alvino a Spaniard well acquainted with the locality, and who had been navigating many years as a *Contrabandista* between Belize and Sisal.

In 1841 Colonel Peraza, then on a Mission from Yucatan to Texas, when passing through New Orleans, was requested to co-operate with a Military officer of Texas who hoped to succeed in organizing a Company in Tennessee, for the purchase of a large part of the island of Cozumel. The documents before me State that Colonel Peraza pledged himself to favour this individual "all that he could."

The State of Yucatan embroiled with the general Government of Mexico, and, pressed for resources, issued a Law on the 5th of April, 1841, relative to the Sale and Conveyance of its vacant lands. On the 14th of October 1841, a Company was formed at Galveston, to purchase a portion of Cozumel, under the provisions of this Law. The first associates were three in number, and there were five others who were to have the privilege of joining them, if they came forward with funds "in good time." Among the five were the Commodore of the Texan Navy and two officers of rank in the regular service of Texas.

One of the three original associates who had been Collector of Customs at Galveston, under the Mexican Government, was furnished with Money and instructions, and sent to Galveston, where he arrived in November 1841. He was Commissioned, in the first instance, to purchase two Square leagues of land in the island of Cozumel, proceeding according to the designated order of selection already shown in outline. With the sanction of the local Authorities, he surveyed six Square leagues of land, and assured his associates that, "with sufficient powers of attorney and funds in hand," he could, "from time to time, acquire the whole island *gradually*,

but not at once, in order to avoid suspicion." In consequence of the failure of the New Orleans Banks, the necessary means was not forthcoming, and the agent, who seems to have been a person of considerable acuteness, but not over wise in his moral perceptions, returned to Galveston in July 1842, after an absence of Nine Months, transmitting to his associates "A contract and detailed Map of Survey of Six Leagues of land on the island of Cozumel, and Translations of Official documents accrediting the location, survey, and purchase of the said land, and the Sale by the Government of Yucatan confirmed, and the titles ready to issue whenever the provisions of the law upon the subject, as set forth in the said official Communication, are complied with."

It is alleged that the right of pre-emption yet remains with the parties for whom the agent selected the six leagues of land

I now come to the last point in the proceedings respecting Cozumel, according to the information placed before me.

I am assured that the *quiet* occupation of the Island, by the path already opened, was suggested to M. de Saligny, Chargé d' Affaires of France in Texas, who is at present in Europe, by whom, it is alleged, the proposition was seriously entertained

Whatever may be the value of the present Communication, I have deemed it my duty to transmit it to Your Lordship, for the following reasons

1st. That—I believe the facts, as I have stated them, to be substantially true.

2nd. That—Americans are quick in discerning local advantages, and persevering in the endeavour to turn them to their own account.

3rd. That—The Government of Mexico, having been baffled in its attempts to reduce Yucatan to obedience, the latter state may be so far free to exercise an independent prerogative as to transfer its vacant lands to Foreigners for a trifling consideration

4th.—That desirous of insular aggrandizement, France might be willing to secure an early hold on a position near to Mexico, within a short sail of the British Settlement of Honduras, and not remote from the Isthmus of Panama.

5th. That—Without presuming to attach any special importance to the transactions under review, it is, at all events, the more prudent course to report them to Your Lordship.

William Kennedy.

The Earl of Aberdeen, K. T.

ABERDEEN TO ELLIOTT.²

Draft.

F. O. August 18, 1843

Captain Elliot.

No. 10.³

Sir,

Your Despatches to No. 20 inclusive, with the exception of No. 13, have been received and laid before the Queen.

With reference to my Despatch No. 6, of the 3rd of June last, relative to the proposals made to Texas by Genl Santa Anna for the Settlement of the Contest between Texas and Mexico, I have to transmit to you herewith for your information, a Copy of a Despatch which I addressed to Mr. Doyle, Her Majesty's Chargé d' Affaires in Mexico, on the 1st Ult, upon the same subject.⁴

KENNEDY TO ABERDEEN⁵

Private.

British Consulate.

Galveston August 22d. 1843.

My Lord.

I beg leave to transmit to Your Lordship a printed Article which I have extracted from the "New Orleans Bulletin" of Thursday, August 10th. It has been the Subject of Comment in this place.

By Statements in the London Newspapers recently received here, it would seem that parties in England entertain the impression that the people of this Country are willing to treat for the emancipation of their Slaves. I have been, and am, endeavouring to ascertain how far the impression is warranted by facts,—before I transmit a reply to the Queries contained in Your Lordship's Despatch marked "*Sc Te No. 1*," and dated May 30th, 1843.

The Earl of Aberdeen K. T.

William Kennedy.

²F. O., Texas, Vol. 6. The letter is unsigned.

³F. O., Texas, 19. Aberdeen to Elliot, No. 8, June 19, and No. 9, July 3, 1843, have been omitted. The first referred to the land claims of Cotesworth, Powell, and others; the second transmitted copies of correspondence with Doyle, in Mexico, relative to the threatened treatment of all foreigners found in Texas when Mexico should reconquer that territory.

⁴F. O., Mexico, 169. Aberdeen to Doyle, No. 10, July 1, 1843. Aberdeen urged larger concessions by Mexico, and also expressed the view that by making these, abolition in Texas might be secured. (Adams, *British Interests and Activities in Texas*, 130-131.) For a different view of Aberdeen's leading purpose, see Smith, *The Annexation of Texas*, 93.

⁵F. O., Texas, Vol. 7.

KENNEDY TO ABERDEEN⁶*Private.*British Consulate.
Galveston August 23rd 1843

My Lord,

I have the honor to enclose a printed translation of the Land Law of the Mexican State of Yucatan, referred to in my despatch marked "Private" and dated the 6th Instant.

I hope soon to be enabled to transmit a Chart of the Harbour and Sketch of the Island of Mugerres, off the Yucatan Coast.

Information has been brought by the Texan War Vessels lately employed in aiding Yucatan, that the Government of that State had granted to American officers and Seamen, in their Service, the privilege of settling a certain portion of Vacant public land, and that the said officers and Seamen were making preparations,—when the Texan Vessels left Campeche—"to visit the island of *Cozumel*, and locate their Claims upon it."

William Kennedy.

The Earl of Aberdeen, K. T.

ELLIOTT TO ABERDEEN⁷No. 24⁸

Galveston August 23r. 1843

My Lord,

I avail myself of a short delay in the departure of the Steam Boat to New Orleans to report the return (last Evening) of the Texian Custom House Vessel which took back to Matamoros the Mexican Officer who had brought in General Woll's dispatches of the 16th Ultimo to this Government

Mr. F. L. Giffard Her Majesty's Vice Consul at Matamoros went down from here to that place in the same vessel, and I learn by a Note from him dated on the 14th Instant that General Woll had assured him He would use his best efforts to induce the President of Mexico to release the remainder of the Texian prisoners. It does not appear to be determined whether the Commissioners for the arrangement of the Armistice are to meet at Laredo or at Matamoros, but it is probable that Matamoros may be preferred. They would meet about the 25th of next Month

⁶F. O., Texas, Vol. 7.⁷F. O., Texas, Vol. 6.⁸Elliot to Aberdeen, No. 23, of 1843, is missing from the archives.

I take the liberty of forwarding a Newspaper which will place Your Lordship in possession of all that has transpired respecting the result of the late attempts to obstruct the Santa Fé traders on their return to that place from Missouri. Your Lordship will remark that the order to the Texian Officer was dated on the 16th February last, that is, rather more than a Month before any prospect of Negotiation presented itself to this Government.

It appears probable that this interference of the Government of the United States in behalf of the Mexican traders would be pleaded in support of decided interference in behalf of Texas, in the event of a resumption of hostilities, and any recurrence of the incursionary Warfare of last year upon the part of Mexico against this Country.

Your Lordship's dispatches to No 9 inclusive have been received.

Charles Elliot.

The Earl of Aberdeen, K. T.

KENNEDY TO ABERDEEN⁹

Private.

British Consulate

Galveston, August 29th 1843

My Lord,

In a despatch marked "Private," and dated on the 23rd of the Month, I expressed a hope that I might "soon be enabled to transmit to Your Lordship a Chart of the Harbour and Sketch of the Island of Mugerres, off the Yucatan Coast.

Availing myself of the opportunity afforded by Her Majesty's Sloop of War "Scylla," which sails today from Galveston for Vera Cruz, I have the honor to forward a Map of the Island of Mugerres, with the Survey of the Coast and Harbour made by order of the Texan Commodore.

I have incurred an outlay of a few dollars in this Matter, which I propose to include under the head of "Consular Contingencies"

William Kennedy

P. S. The Map transmitted is enclosed in a tin case, and I have reserved another copy for transmission, should the one now sent by any accident fail to reach its destination

W. K.

The Earl of Aberdeen, K. T.

⁹F. O., Texas, Vol. 7.

ELLIOTT TO ABERDEEN¹⁰

No. 25.

Galveston September 5th
1843

My Lord,

I have the honor to report that Her Majesty's Sloop "Scylla" arrived here on the 28th Ultimo, bringing me a despatch from Her Majesty's Chargé d' Affaires at Mexico dated on the 15th Ultimo,¹¹ proposing on the part of General Santa Aña, an exchange of prisoners. The Inclosures are the Note¹² I addressed to this Government upon the subject, and my reply to Mr Doyle, but Mr Jones's answer will hardly reach me in time to be despatched by this opportunity.

The Scylla sailed to Tampico and Vera Cruz on the 29th Ultimo.

Affairs in this quarter remain in the situation reported in my last despatches. I may mention however that the elections for the next Session of Congress closed yesterday, and I believe it is generally considered that the result has been favorable to the Administration

Charles Elliot

To the Earl of Aberdeen. K. T.

ELLIOTT TO DOYLE¹³[Enclosure].
Sir,

Galveston. August 28th, 1843.

I have the honor to acknowledge your despatch of the 15th Instant (received this morning) and in reply I beg leave to forward the copy of a note which I have addressed to this Government.¹⁴ In the absence of General Houston on the Upper Trinity at an Indian Council, from which he is not expected back for the next fortnight, and under the circumstances of the other claims on the Services of the "Scylla," I have not thought it right to request the

¹⁰F. O., Texas, Vol. 6.¹¹F. O., Texas, 23. Doyle to Elliott, August 15, 1843.¹²Elliott to Jones, August 28, 1843. In Garrison, *Diplomatic Correspondence of the Republic of Texas*, III, 1123-1124, in *Am. Hist. Assoc. Report*, 1908, II.¹³F. O., Texas, Vol. 6.¹⁴See note 12, above.

Commander to remain 'till I can receive replies from Washington. She will therefore Sail again tomorrow.

Whilst I perceive no reason to doubt that General Houston will accede to General Santa Aña's proposal, I must beg it may be observed that I am speaking without authority, and must by no means be understood to commit him to that effect. The Mexican prisoners, however, are perfectly at large, and I am so sensible of General Houston's considerate dispositions toward them, that I am persuaded He would not offer the least objection to their return. It should be mentioned that many of them are engaged in profitable Employments, and it is possible some amongst them may prefer to remain by their property, more particularly under the hope that peace is about to be restored, and that they may have an opportunity of realizing it, and returning at their leisure.

It is very satisfactory to learn that the President of Mexico seems inclined to do whatever may be in his power, in the sense of conciliation, for the promotion of an honorable and lasting peace; and I am sure it may be depended upon, on the other hand, that this Government will cordially respond to those feelings.

Copy.

Charles Elliot.

Charles Elliot.

Percy W. Doyle Esqre.

H. M. Chargé d' Affaires
Mexico.

[Endorsed] Inclosure No 2 in Capt Elliot's despatch to The Earl of Aberdeen No 25. Sept. 5. 1843.

KENNEDY TO ABERDEEN¹⁵

Slave Trade.

British Consulate

No 4.

Galveston. Septr 5th. 1843

My Lord,

I have the honor to enclose a Return to Your Lordship's despatch marked "Slave Trade No. 1," and dated May 30th 1843.

In conformity with Your Lordship's instructions, I have endeavoured to make the reply to each question as concise as possi-

¹⁵F. O., Slave Trade, Vol. 479.

ble. Had Texas been an older Country, offering ampler materials for the return, some of the replies would have been more brief

The Earl of Aberdeen, K. T. William Kennedy
[Enclosure.].

*Republic of Texas.
Consulate of Galveston.*

*Return to a Despatch Marked, Slave Trade No. 1—dated May
30th. 1843*

Query 1st. Answer. No Census of the Republic of Texas having yet been taken, it is impossible to state, with accuracy, the amount of its population, or the respective Numbers of Whites and of Coloured people forming that population. According to election and other returns, the White population may be estimated at 80,000 (eighty thousand) souls, the Indians at 12,000 (twelve thousand) and the Slaves at 16,000 (sixteen thousand). The free persons of Colour are extremely few.

It is to be observed that this estimated population is embraced within the limits that designated Texas as a department of Republican Mexico. The additional territory claimed by Texas since the Revolution, but neither occupied by her Settlers, nor held by her troops, contains a considerable Mexican and Indian population, for estimating whose numbers, there are no reliable data. By far the greater portion of this territory is waste.

There is no Registry of Slaves in Texas. An Act of Congress "to raise a Revenue by direct taxation," imposed a tax upon Slaves, and the Assessors appointed under the Act gave in returns for the year 1840, which produced the following result:—

Negro Slaves under 15 years of age.....	4,992
Over 15 and under 50.....	5,899
Over 50	332
<hr/>	
Total	11,223

There were no returns from nine (probably remote and thinly peopled) Counties.

Allowing for omitted and imperfect returns, the whole Slave population of Texas, at the close of the year 1840, may be set down, in round numbers, at 12,000 (twelve thousand). Owing

to her unsettled relations with Mexico, the amount of Slaves introduced into Texas, since 1840, especially by sea, cannot have been considerable nor is there any substantial ground for supposing that the entire Slave population of the Republic, including a late accession by the adjustment of the North Eastern boundary line with the United States, at present exceeds 16,000 (sixteen thousand) souls.

Population in 1832. By calculations chiefly based upon the Statistical Report of a Commission, employed by the Mexican Government, the population of the, then, Department of Texas, in the year 1832, may be estimated at about 20,000 (twenty thousand) Whites, 2,000 (two thousand) Negroes, and 15,000 (fifteen thousand) Indians.

Population in 1837. The Texan Revolution in 1835 had, on the one hand, the effect of breaking up Settlements and dispersing Slaves, and, on the other, of attracting a crowd of Military Adventurers and speculators from the United States. No good estimate can be formed of the amount of the population in the year 1837. It may be remarked that, at this period, there was no material decrease in the numbers of the Indians of Texas. In subsequent years, the Cherokees, and other tribes from the United States, were treated as intruders on the soil, and expelled from the Republic by force of Arms.

Query 2d. Answer.—Information, drawn from competent private sources, warrants the conclusion that, within the last ten years, no Slaves have been imported direct from Africa, and indeed, that no vessel from the African Coast has, of late years, entered a Port of Texas. It is confidently alleged that the following list includes nearly all the Slaves that have been imported from every quarter, with the exception of the United States, since the year 1833.

1835. In this year, the notorious Munroe Edwards and a partner named Christopher Dart purchased 183 Slaves in Havanna, Shipped them openly on board an American Schooner called the "Shanadoah," and landed them in Texas, at the river San Bernard, South of the Brazos, in the Neighbourhood of the Cotton plantations. These Slaves continued under the control of Edwards until 1838. A Mortgage had been executed to the factors at Havanna, to secure the payment of 35,000 dollars, the un-

liquidated balance of the purchase Money. Edwards endeavoured to avoid payment of this claim, and also refused to account to Dart for his interest in the purchase. The Slaves were placed under legal Sequestration, and Edwards filed a release from Dart for his share, which release proved to be a forgery. Edwards was arrested, but availing himself of enlargement on bail, he fled to the United States and passed from thence to England. By plausible representations and the use of fabricated letters of introduction, he succeeded in imposing on the friends of Negro Emancipation in both Countries. He is now imprisoned in New York, where he has been sentenced to undergo a long term of Confinement for swindling.—The Havanna firm, concerned as factors in the purchase of the Slaves for Edwards and Dart, have instituted legal proceedings in Texas for the recovery of the 35,000 dollars still owing to them, but, as yet, without effect.

In the same year (1835) 40 Slaves, Shipped at Cuba, on board the American Schooner *Harriet*, was landed at the river San Bernard.

1836. This year a Schooner (name unascertained) conveyed 40 Slaves from Cuba to the Port of Velasco, where part of them were landed, but a Collector of Customs being stationed at that Port, the Schooner was ordered off, and she landed the remainder at Caney Creek.

In the Autumn of the same year (1836) a Schooner under the Spanish flag, Commanded by one Moro, a Spaniard, and owned by a person named Coigly, born of American parents at Matanzas, and supposed to have carried 200 Slaves from Cuba, ran up the river Sabine, which divides the United States and Texas. It is not known, here, whether the Slaves were landed or not. There is a story that the owner, Coigly, who was on board, was murdered, and that the Spanish Master went off with Cargo and Schooner.

1837 and 1838. During these years, 41 Slaves, in two Shipments, were brought from Cuba and landed near the Brazos river, and thence distributed over the plantations

Excluding some persons of Colour, kidnapped from the British West India Islands, who do not belong to this classification, and who were claimed by the British Government, the total of ascer-

tained imports of Slaves into Texas, within the last ten years, from all places except the United States, Amounts to 504.

The fact that there were few or no persons in Texas possessing sufficient Capital to enable them to undertake the risk of the Voyage, is the reason assigned for there having been no direct importation of Slaves from Africa.

There are no means for ascertaining the annual amount of Slaves imported from the United States. With the exception of some purchased by Europeans at New Orleans, nearly all have been introduced by American immigrants. By Section 9th of the "General Provisions" of the Constitution of Texas, the admission, or importation, of Africans, or Negroes, into the Republic, except from the United States of America, is for ever prohibited, and declared to be piracy. The same section provides that—"Congress shall pass no laws to prohibit emigrants from bringing their Slaves into the Republic with them, and holding them by the same tenure by which such Slaves were held in the United States."

Query 3d. Answer. In criminal cases, the law does not extend either to the Slave, or to the free Man of Colour, the same protection that it yields to free White persons.—For example—a Slave, or free person of Colour, Convicted before a District Court of maiming a free White person, (which, in the case of Whites is punishable by fine and flagellation) incurs the penalty of death. By the same Act, it is provided that, for offences, not Capital, Slaves shall be tried before County Courts, at a special term to be immediately called, and "it shall not be necessary in such cases, that a bill be found by a Grand Jury, but the party shall be required to proceed to trial upon a charge made out and signed by the person holding the information, setting forth the offence, with which such Slave stands charged."—It is further provided by said Act, that—"if any Slave, or free person of Colour, shall use insulting, or abusive language to, or threaten any free White person, upon complaint thereof before any Justice of the peace, such Justice shall cause such Negro to be arrested, and, upon Conviction, the Slave, or free person of Colour, shall be punished by stripes, not exceeding one hundred, nor less than twenty-five.

Query 4th. Answer. The law enacts that if—"Any person shall unreasonably, or cruelly treat, or otherwise abuse, any Slave,

he, or she, shall be liable to be sued in any Court of Competent Jurisdiction, and on Conviction thereof, shall be fined in a Sum not less than 250, nor more than 2,000 dollars." It is further provided that—"if any person, or persons, shall Murder any Slave, or so cruelly treat the same as to cause death, the same shall be felony, and punished as in other cases of Murder." It is the duty of the District Judges to carry into effect the provisions of this law.

Query 5th. Answer. The evidence of a Slave is not received in Courts of law.

Query 6th. Answer. Opinion stigmatizes persons who maltreat their Slaves, and the general tendency is to feed them sufficiently, and to use them without rigour. Scanty fare and harsh treatment are generally confined to the Slaves of impoverished owners.

Query 7th Answer. The Negroes of Slaveholders in easy circumstances are considered to enjoy as good health, and to live as long as free persons, but it may well be supposed that this cannot be the case in regard to the Slaves of persons comparatively poor. Owing to the comparatively recent introduction of Slaves into Texas, there is no satisfactory test of their longevity. When the owners are poor, the dwellings of the Slaves will too often be insufficient to protect them from the variations of the Climate, which, in Winter, is cold even along the sea coast. The searching "Northers" cannot fail to operate keenly upon the African temperament, and to call for a supply of warm clothing, which insolvent owners are unable to afford. Nor are the Negroes on the low Alluvial lands that are subject to overflows exempt from the fevers peculiar to such localities. They suffer occasionally from attacks that require Medical remedies and care, and these, in a measure suited to their wants, their Masters are not always in a condition to provide.

Query 8th. Answer. The Slave population is annually increased by the introduction of Negroes from the United States, most of whom belong to immigrants—Owing to the unsettled state of the external relations of Texas, the increase has been comparatively small, and is chiefly exhibited in the Eastern Counties of the Republic. The Constitution declares that—"Congress shall pass no laws to prohibit emigrants from bringing their Slaves into

the Republic with them, and holding them by the same tenure by which such Slaves were held in the United States."

Query 9th Answer. The Manumission of Slaves is of rare occurrence.—Section 9th of the "General Provisions" of the Constitution of Texas has these words.—"Nor shall Congress have power to emancipate Slaves, nor shall any Slave-holder be allowed to emancipate his, or her, Slave or Slaves, without the consent of Congress, unless he, or she, shall send his, or her, Slave, or Slaves, without the limits of the Republic."

Query 10th Answer.—The laws and regulations have become—in, the letter—less favourable to Slaves since Texas obtained the position of an independent State. The real condition of the Negroes is little, if at all, affected thereby, as, during the period of Mexican supremacy, the laws for the mitigation of Slavery were virtually unenforced.

Query 11th Answer. There is no professed or recognized section of Citizens in Texas favourable to the Abolition of Slavery. Whatever concurrence of opinion may exist among individuals, it has not yet developed itself through open Association, public Meetings, or the agency of the press.

Query 12th Answer. The difference in the eye of the law between a free White and a free Coloured Man, is extreme. Some evidence of this difference has been given in the answer to the third Query.

The Constitution declares that—"No free person of African descent, either in whole or in part, shall be permitted to reside permanently in the Republic without the Consent of Congress."

An Act of Congress makes it unlawful for any free persons of Colour to emigrate to the Republic. Any person so emigrating is to be arrested, and required to give bail for 4,000 dollars with the security of an approved Citizen for his removal out of the Republic. If unable to comply with this requisition of the law, such person is to be committed to Jail, and, after Notice, to be sold into Slavery for the term of one year. During the year, he is open to liberation, on rendering the specified bond. Failing in this, he is to be returned to the Sheriff at the end of the term, to be by him sold, at public Auction, and—"Any such free person of Colour so sold, shall remain a Slave for life."—The same Act prohibits Owners and Masters of Vessels from bringing, or aiding in

bringing, free persons of Colour into the Republic, under a penalty varying between 1,000, and 10,000 dollars, with a reservation in favour of Ship Cooks and working hands.

Query 13th. Answer. Free Coloured Men have never been admitted to offices of the State.

Query 14th. Answer. No periodical Census has yet been taken of the population in the District of the Galveston Consulate.

William Kennedy.

Consul at Galveston

[Endorsed.] In Mr. Consul Kennedy's despatch of 5th September 1843.

KENNEDY TO ABERDEEN¹⁶

Private.

British Consulate.

Galveston. Sept. 6th. 1843.

My Lord,

In the return which I have had the honor to make to the questions in Your Lordship's despatch of 30th May, marked "Slave Trade No 1," I have stated that there is, in Texas, no recognized party favourable to the Abolition of Slavery.—This statement has been made with a full knowledge of the fact that, within the present year, certain proceedings have occurred, in this Section of the Republic, having reference to the emancipation of the Slaves.

Some idea of the character and local effect of these proceedings may be gleaned from Newspaper publications, of which I beg leave to enclose extracts.¹⁷

On or about the 18th of last March, a Mr Andrews, who has been about three Years resident in this Country, and who, I understand, has been in the legal profession, at the town of Hous-

¹⁶F. O., Slave Trade, Vol. 479.

¹⁷This and the preceding dispatch from Kennedy have been printed in British Sessional Papers, 1844, Commons, Vol. 49; *Slave Trade Correspondence, Class C*, pages 282-286. They are here reprinted as of unusual interest and not easily available. The eleven enclosures in Kennedy's letter of September 6 are newspaper cuttings for 1843, as follows: *Texas Times*, March 18; *Galveston Civilian*, April 1 and 29, August 9, 12 and 26; *New Orleans Republican*, July 3 and August 29; *Houston Telegraph*, August 22 (two cuttings) and August 30. These treat of the Andrews abolition movement and of the Yates-Converse correspondence, and are all printed in the volume of the British Sessional Papers just noted. The volume also contains much interesting material on the alleged violation of slave trade laws by a British firm, Frankland & Co. Other volumes of the Sessional Papers containing slave trade correspondence on Texas are 1845, Commons, Vol. 50, and 1846, Commons, Vol. 51.

ton, accompanied by a Mr. League, visited Galveston, and began, cautiously, to unfold a project of Slave emancipation. The supporters they found were not, it appeared, numerous; they were not permitted to develop publicly the object of their Mission; and, ultimately, Mr Andrews was forced, by the unlicensed interference of the populace, to enter a boat and proceed to the Mainland, under an injunction not to revisit the Island. His Colleague, Mr. League, quietly withdrew, without abiding the risk of ejection by a Mob. At this point, the agitation of the project of emancipation ceased in Galveston, and I am not aware that it has been again commenced in any other part of the Republic.

The last of the Newspaper extracts which I have taken leave to transmit (No. 11) is from the avowed and admitted organ of the President of the United States at New Orleans. To that Article I would respectfully invite Your Lordship's attention, as I am assured, by a party whose trustworthiness I have long known, that Materials for its Composition, and of others in a similar vein, were received from a "qualified" source at the City of Washington (U. S.). I am told that the suggestion of the "*New Orleans Republican*," recommendatory of the occupation of Texas by American troops, had (according to the writer from Washington) given "great satisfaction to the Secretary of State."—The Journalist was counselled to avoid political extremes, so that, by appealing to the interests of all Sections, unanimity of action might be secured "When the question of Annexation came before Congress in December next,—at which period it would be submitted to that body, in the President's Annual Message."

The New Orleans Journalist was farther advised to address the Southern interest on the topics most likely to stimulate—to expatiate, among other points, on the danger to be apprehended from the emancipation of the Texan Slaves—(estimated by his Correspondent at 15,000)—And the loss, by Texian rivalry, in the Cotton Market of England.—To the North, independent Texas was to be held up as a sort of British Colony, whose smuggling operations would defeat any Tariff, and whose Anti-American prejudices would be fostered by British Capital and emigration.—"Annexation"—it was added—"had become a leading question with the administration, and decided action would take place upon it."

My informant, who has no connexion whatever with Newspapers, dates his communication on the 28th. of August, on which day he left New Orleans—the extract (No 11.) to which I have referred, appeared on the 29th of August.

William Kennedy.

The Earl of Aberdeen, K. T.